

## ***Opening Remarks from Landowner Informational Meetings – August 12 – 21, 2008***

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*The following is a summary of opening and closing remarks made at the landowner informational meetings held August 12, 13, 14 and 19, 20, 21, 2008, in Galt, Lathrop, Antioch, Walnut Grove, Rio Vista and Stockton, California.*

**[Welcome]** Thank you all for attending this landowner informational meeting. We are here tonight to discuss the governmental process to develop a Habitat Conservation Plan under federal law, and a Natural Community's Conservation Plan under state law. The objective is to look at conveyance and how water moves through the system and is exported out of the system, and also ways to deal with habitat issues for a number of at-risk species. In order to do that, we will need to conduct studies throughout the Delta as part of the environmental review process so that we can make the best possible decisions.

Some landowners received notice of this meeting because their property is an area that needs to be studied to support the environmental review process. Tonight we need to talk about how we all move forward together in this historic opportunity to make sure that the future of Delta is sustainable.

Before we get into the specific issues about the studies, we will take a few minutes to talk about the Department's flood program. As you know, we've had great support from the voters in the state that passed bonds to give us more money to deal with flood issues. We set up a program called FloodSAFE. Tonight we will spend a few minutes talking about that program.

**[FloodSAFE]** I am here to discuss some of the important programs that are going on throughout the Central Valley, throughout the state of California, and into the Delta relating to flood control.

The voters passed two bond issues in 2006 – Proposition 84 and Proposition 1E – providing about \$5 billion statewide for flood control. You may have noticed some of the levee work going on right now to repair levees in the Delta. The FloodSAFE effort has four main goals: (1) to improve the flood system, (2) to improve flood operations, (3) to improve flood emergency response, and (4) to provide information to the public about flood risk.

One of the major efforts that we have for FloodSAFE is the Central Valley Flood Protection Plan. This is a comprehensive plan that will look at the entire Valley, including the Delta. This plan will be ready in 2012, and we will invite participants from the Delta and throughout the Valley to help us in our planning process.

We intend to spend about a half billion dollars on flood improvements in the Delta through the Delta Levee Flood Maintenance Subvention Program. This program has been around since 1974 and has already received over \$200 million for local Delta interests to reimburse you for the work that is done on the levees. We have a very robust budget for this coming year, and we anticipate having over \$15 million for that program this year.

Another important program that is expanding is the Delta Special Projects Program. That's a program that historically was focused on the eight western Delta islands, Walnut Grove and Thornton, and New Hope. That program is now expanding to the entire Delta, and we're going to be coming out very soon with some new guidelines and we will invite the entire Delta to participate in the special projects program.

In addition, DWR has a North Delta Flood Control Program. Our final Environmental Impact Report should be out very shortly. That project is intended to improve flood conveyance through the Consumnes and Mokelumne River system not far from here.

The other key component that I mentioned before is emergency preparedness. We are working with local reclamation districts, the counties, and Office of Emergency Services organizations to develop the best way to respond to flood emergencies. We will be working with Delta interests to make sure that everybody is engaged in the emergency preparedness process.

From the main FloodSAFE website you can find all kinds of information about the strategic plan that we developed, as well as some of the other programs that are here to help provide improved flood protection for the Delta.

**[General Overview]** This is a public process and we are trying to communicate with you, hear your concerns and answer your questions in order to ensure that we develop the best plan moving forward. We view the Delta as a valuable resource for California and for the communities in the Delta.

We started this process with 10 scoping meetings, where we heard a lot of good comments. We have taken those comments and have made some revisions to our program as a result. For example, when we held the scoping meetings we heard very loud and very clear that we weren't communicating well. So, we hosted a series of Town Hall Meetings to help inform Delta residents of the various programs going on. We are back in the Delta tonight focusing on the landowners. Again, we will consider your comments as we move forward.

In the past several weeks we sent approximately 1,000 letters to Delta landowners, indicating the need to conduct studies on their property to support the environmental review process for the Bay Delta Conservation Plan. But, we will likely only need to enter about 10 to 20 percent of those landowner properties in order to get additional information.

We are hoping that we can work with you through this process. We are here to listen and continue the dialogue. Tonight we have some short presentations, and then we hope to hear from landowners, business, agricultural representatives, and all the different sectors of the Delta here today, so that we make sure we are considering your comments as we move forward.

**[Bay Delta Conservation Plan]** I want to re-emphasize that this meeting is designed to start a dialogue with you. We need to talk to you about where we're going and we need to hear from you about your concerns, particularly as property owners, because what we're asking the property owners, basically, is to allow us on your lands to do studies, to understand the impacts that may occur if we change the landform in any fashion.

We all know that the Delta is many things to many people. You all live here. There's important wildlife here. There are resident fish populations here. It's very important to California's boating economy. The Delta is home to a lot of important infrastructure – railroads, highways, gas injection areas. It is also the hub of California's water distribution system from north to south. It provides drinking water for two-thirds of the people in the state of California and irrigates several million acres in the San Joaquin Valley. The system was designed in the 1920s. Laws were passed in the 1930s, and then projects were built in the '40s and '50s and '60s to make the water system what it is today. The question is, can we do better as we move forward?

In 2005, we finished the CALFED process after becoming aware of the fish decline. Through that process we came up with Habitat Conservation Planning and a more holistic approach. We have fish issues we're trying to work through. We're trying to provide better water supply reliability, and we can work this out, hopefully, with the fish agencies.

In 2006, we met to discuss forming a conservation plan and several groups signed up to participate in the planning process. In this case, the water board, Mirant Power, the Bureau of Reclamation, the Department of Water Resources, several of our contractors in the Bay Area, San Joaquin Valley interests, along with the two federal fish agencies, the U.S. Fish and Wildlife Service, National Marine Fisheries Service, Department of Fish and Game. Other members include American Rivers, The Nature Conservancy, The Bay Institute, Environmental Defense Fund, the Natural Heritage Institute, and The Farm Bureau. After our initial meetings, we signed formal planning agreements to put the process in motion. The problem is we don't have very many people who will be affected by the plan involved in the process, and that's what we've got to fix.

The habitat conservation plan is an aquatic system focused principally in the Delta. We asked ourselves what we could do to help the Delta and help the Delta fish. The answer was that we need to change how water is conveyed across the Delta. In November 2007, we came out with a report and the findings were that an isolated facility is something we should pursue and study as we proceed.

Fish and Game has been telling us that for a long time, and various attempts to have isolated conveyance across the Delta have been made. The Delta Vision Report has come to similar conclusions: If we're going to fix how we move water through the system or if we're going to fix the fish problems we see, we need to change how we convey water. The Public Policy Institute Report came to a similar conclusion.

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Note that the conveyance is not the only issue we're thinking about. We're also thinking about habitat conservation activities, opportunities to create more food for fish that move through the system, and addressing other stressors – including toxics. We also have a concern about ammonia in the Sacramento River and how it affects fish. We plan to address these issues with a holistic point of view and develop a comprehensive conservation plan.

Currently, the schedule consists of developing a conservation strategy by the end of this year and preparing a draft EIR/EIS (Environmental Impact Report and Environmental Impact Statement). Under both state and federal law, the EIR/EIS drafts will be available by the end of 2009, and the final versions by the end of 2010.

**[Environmental Review Process]** The Environmental Impact Report is a disclosure document. Its purpose is to inform the public and decision-makers about environmental impacts associated with the plan. In order to prepare the assessment, we must conduct studies to determine what those impacts are, so that we can quantify those impacts.

Some of those environmental impacts will be assessed based upon previous studies. However, there are some issues that we will need to explore in greater detail, and new studies must be conducted. We need to make sure that we look at the direct impacts, as well as the indirect impacts of the proposed conservation and conveyance alternatives. If we identify a significant impact we will need to make modifications to the plan, if feasible, to avoid those impacts. If we can't avoid those impacts, we would minimize those impacts, and then deal with mitigation. That is why we've identified a fairly large study area.

Some studies that we need to conduct on the ground include geology, and we need to go out and look in order to determine what the stability is, what the erosion potential is, and what the potential is for seismic or earthquake events. We'll also be looking at existing utilities. Some of these utilities were built many years ago and are underground, and so we need to look on the ground for these as well. Archaeological issues are also an environmental issue that we'll address, and those must be assessed by looking on the ground itself. The biological studies may require multiple-year studies, multiple-season studies, and night studies. Some species we will have to look at in the dry season and some in the wet season.

As the plan becomes more refined, we may have to do additional surveys. Those surveys may be conducted over the next three years. The information gathered will be used as a disclosure document, and the impacts will be addressed in the No Project Alternative, which is no action, as well as various other alternatives that will be addressed in the environmental document.

**[Temporary Entry Permit Process]** The planning process is underway and it is a long multi-layered one. We are looking to minimize any disturbance to you by using available information, by using public lands, and by using any other device that we can to obtain the necessary information.

## ***Opening Remarks from Landowner Informational Meetings – August 12 – 21, 2008***

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Most of you are familiar with studies we have done in the past. Back in the early '70s there were studies conducted in the easterly portion of the Delta as some form of an isolated facility. Around 2000, CALFED conducted studies and looked at through-Delta conveyance as a possibility. A year ago the Delta Vision Program suggested that perhaps it's a combination of both through-Delta conveyance and some form of an isolated facility. Recently, we've been looking at the possibility of a western conveyance facility.

After reviewing existing information, we were able to narrow the study area down to approximately a 1,000-foot wide stretch. About a 1,000 letters were sent out to landowners within this study area because we need to get onto some property and conduct studies to support our environmental review documents. Of course, we are going to continue to look at ways of minimizing the amount of people that have to be involved and how much interference we have. We will find out if we can do any assessments on public land or along county roads or waterways where we don't have to disturb anybody's property.

And that brings us to the topic of temporary entrance permits. The permit, essentially, is a permission slip to go on your land to conduct the necessary studies. The permit would define the type of studies that we're interested in doing on your particular property, the study duration, and how long would we be there.

The Temporary Entry Permit provides protection to you by defining our liability for damage to your property and any injuries our employees may incur. In a sense, it's a guarantee for you, and it's a permission slip for us.

We will send out letters and the temporary permits in the coming weeks. We will follow up with one-on-one meetings with each one of you, and talk about what we want to do, the process, and show you a video of the types of studies we expect to do. These appointments and this work would not start until February 2009. Prior to any start work, we'll again contact you to discuss the process.

### **Closing remarks:**

As mentioned at the beginning of this meeting, we need to think about what we want the Delta to be like a 100 years from now, and we need to figure out how we're going to invest California's money and our time.

We've got to stay engaged on this, and we need to figure out the best way to do that. There is going to be an effort to get the counties and the elected officials involved in this because it's a bigger decision than just the water community or the fisheries agencies.

The issue we discussed tonight is about getting the information from specific parcels of land. We're going to continue down that path and we will continue talking with you and try to minimize our impact on you.

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Additional questions or comments can be e-mailed to [delta@water.ca.gov](mailto:delta@water.ca.gov).

Again, thank you for your participation in tonight's meeting.